

MINUTES OF PLANNING AND ZONING COMMISSION

7:00pm, Wednesday, May 19, 2004

Present were Richard Grant – Chair, Marsha Jones, Tim Healy, Roger Shanks, Frank Olah, and Eva Spear. Also present was Tim McCumber, Zoning Administrator, Mike Slavney, Nathan Taylor, Alternate, Town Planner, Judy Ashford, Town Clerk.

Grant called the meeting to order. The chair asked if the meeting was properly noticed, which it had been. The minutes of March 17, 2004 meeting were considered. Motion to approve by Grant, seconded by Jones. Motion approved. Mr. Grant asked Taylor to be seated and noted that in the future any absent commission members will yield the seat to the alternate.

The first order of business was to discuss and consider a proposed PAD for the Savides property. Mr. Eilertson did not appear and there was not discussion or action taken.

The second item of business was to consider a request from Summer Oaks Condo Assn. owners to enlarge their pool storage building. Slavney addressed the matter and explained that a principal use building, such as an office or residence, a formal amendment to the PAD would be required. As this an accessory building, they are typically handled as an administrative review. Slavney noted that it doesn't alter the site in any manner, such as traffic, etc. This project can be approved administratively rather than through a PAD process. Grant noted that McCumber serves on the SOCA Board and wanted to have this matter reviewed by Grant who deferred this matter to the commission. Grant asked the commission for any input. No part of the building is used for rental per clarification. Healy asked for a chemical report to the fire department. A motion was made by Shanks to approve the permit as a modification to an approved and existing accessory building with the condition that chemicals are posted on the exterior of the building, second by Spear. Motioned approved.

The next item was to discuss and consider the SmartGrowth Comprehensive Plan update presented by Slavney. Grant noted that a number of persons appeared at the Vision Forum who were not electors. The board noted that fact at its last meeting and voted to require that only electors of the town can participate in future forums. Slavney discussed the procedures for the Intergovernmental Meeting and noted that would occur towards the fall. He handed out the draft of the values and trends worksheet from the vision forum. He noted most of it reflects the survey and our existing plan. He asked that the commission review it prior to the next meeting. Slavney noted the current plan calls for the development of the lands between Hwy. 78 and the lake. He wanted to discuss this with the board. The handout takes a fictional piece of land and demonstrates 5 different ways to develop the land; rural subdivision scenario, rural character scenario, rural mix scenario, resource protection scenario, and resource protection and rural mix scenario. Slavney is requesting if the plan should include policies to guide development into these areas or if each property should be handled on a case-by-case basis. He noted that it is not required, but that this will help him in developing the plan if that is the direction the Town would like to go. Slavney noted that he has seen all of these approaches in action noting the town currently acts on a case by case basis. Shanks noted that he is concerned about property owner rights. Grant wanted to discuss the resource protection and rural mix scenario noting he agrees with Shanks, but thinks we need to weigh in on environmental protection because of the river and the bluffs. He noted that if we were in the initial step of the PAD process he would most likely take a look at a number of factors besides the lot sizes and streets. Grant noted that a portion of the town is under consideration for annexation because those citizens believe the village will provide additional services, such as water and sewer. He believes that the town will eventually need to consider providing these additional services as well, although probably not anytime in the near future. Grant discussed a procedure for "packaged" sanitary plants and noted these

non-use areas in this type of development then becomes useful without disturbing the scenery and adds value to the developed lands. Grant noted that state statutes may require the town to provide sanitary to those large developments whose systems fail. He noted that in a “packaged” sanitary system, private contractors handle the entire process from construction to billing and quite often they can do it for less than the average municipality. Olah asked how much developable lakefront property there is and Shanks inquired how many unsold lots exist. Slavney offered to get that information. Olah feels he can consider these options if he knows what kind of lands are available for development. Slavney noted that developers are telling his company that it is becoming more desirable to cluster away from amenities such as lakes, etc. Slavney noted the question is not whether or not these kinds of requirements are legal because they are. What the commission must decide is if they can comfortably live with any decision they might make. McCumber noted that the existing area for development is finite and that the commission can adopt any or none of these options, but the commission should weigh the availability of land in any decision it might make. Olah noted he has some concerns over the last proposal the commission considered and thinks that density should be a consideration. He feels Slavney’s handout addresses his concerns. Grant noted that we should do an inventory of unoccupied parcels in the town as we should have that consideration when considering future development. Grant also noted the concerns of Olah in efficient land use. Grant doesn’t see the larger lots as being bad as it offers a more rural setting with minimal storm runoff, road maintenance, etc. Grant noted that the pressure of urban growth should remain the issue of urban developers, not those of the towns in rural settings and that if we stick to the plan then when the town is full, it is full. Olah questioned some procedural developments over the past years and Grant noted that it was the type of development that affected the commissions decision making, not necessarily the locations that are in the area that are in the plan as future residential development. Slavney noted that each of the proposals is negotiable regarding space and setbacks and these are only samples of methods that can be used. A general discussion regarding sanitary and water districts occurred in which methodology, assessments, etc. were talked about. Slavney noted these are good conversations and the intent of these planning sessions.

Olah inquired of Slavney about the lighting at Lakeview Estates and it was noted that is being looked into. Grant noted McCumber and he attended the Natural Heritage Land Trust banquet with Slavney to receive a Stewardship Award and thanked the commission and the citizens for its help in making this possible. Slavney explained the Stewardship Awards have been presented for about 15 years and that there is always consideration for municipalities. He stated that it is a very big deal and that the Clingman land purchase triggered the discussion, but it was really presented for the overall preservation effort by they town in protecting its areas. He noted that Merrimac is always held as an example for its balance between protection and development. He impressed that he hears often in the field about our work in the township.

McCumber reported that we have issued 25 permits totaling \$3.5 million in value. The Town has already issued 12 permits for new residences vs. 4 at this time last year which accounts for the number of permits and value increase over last year. He also reported on the UDC issues at the state level regarding enforcement. Grant read an article from the Town’s Association regarding UDC.

Motion to Adjourn by Jones, seconded by Shanks. Motion carried.

Submitted by Tim McCumber, Zoning Administrator, Secretary